

Notice of Allowability

Application No.

10/582,442

Examiner

Quyen P. Leung

Applicant(s)

HEDSTROM, HANS

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 3 and 4.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

/Quyen Leung/
Quyen Leung
Primary Patent Examiner
Group Art Unit 2874

EXAMINER'S AMENDMENT

Claims 1-2 have been canceled by pre-amendment and claims 3-4 are pending.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- On page 2 of the specification, *applies* in line 2 has been changed to -- applied--.

The following is an examiner's statement of reasons for allowance:

Claims 3-4 are allowed, because the cited prior art fail to teach or fairly suggest the emboldened feature below.

Kreutz (US 5938152) teaches a cable transit. Kreutz (US 6521840 B1) teaches a cable penetration device. Heimpel, Kogler et al (USP 6,543,780, EP 1101990A, DE 29924396 U1) teaches a method and device for sealing cracks and gaps caused by pipes and cabling inserted in holes in walls on domestic premises. Hedstrom (WO 2003-052895, US 2005/0121217) teaches a cable transit device for building walls having elastomeric block and bush that is compressed around the cable by a clamping frame. Twist (GB 2204922 A) teaches an improved transit for cables and pipes. Roxtec Ing (DE 20116654 U) teaches modular partitioning for sealing cables and tubing

through all types of building having recess in sidewall with bored hole to cover of cable.

Igarashi et al (JP 2001-136645 A) teaches a water stopper for cable protective pipe and water stopping method.

The cited prior art do not teach or fairly suggest a lead-through means for cables or pipes comprising: an outer frame (11) having at least one sealing module (1) surrounding a cable or a pipe (8) and arranged inside the frame (11), which sealing module (1) is divided in longitudinal direction and is built up with peelable sheets (3) for adaptation of its duct area to the actual cable or pipe (8) and which sealing module (1) is intended to fill out the opening of the frame (11) together with at least one expansion unit (12), by means of which the sealing module (1) and possible one or more further adjacent sealing modules are compressible in such a way that a sealing is achieved, **wherein the sealing module (1) has a dividing cut (2') for division into two halves (1', 1''), which cut runs *obliquely* in relation to the longitudinal direction of the sealing module (1) or the longitudinal axis (5) of its duct (4) and which dividing cut (2') has an inclination depending on the thickness of the peelable sheets (3), whereby at an adaptation of the sealing module (1) to the actual cable or pipe (8) one of the module halves (1') may be turned 180° during a first stage to achieve a conical duct through the sealing module (1) at the same time as an oblique gap (6) is formed between the module halves (1', 1''), where after the module (1) may be adapted to the actual cable or pipe (8) until the module halves (1', 1'') reach each other at the narrow end (6') of the gap (6) and which one half (1') during a second stage may be turned back 180° , whereby an even gap (7) having the**

correct measurements is obtained together with a complete sealing against the cable or pipe (8) going through the sealing module (1) and the frame (11) after activation of the expansion unit (12).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quyen P. Leung whose telephone number is (571) 272-8188. The examiner can normally be reached on normally M-F, 6:15 am - 2:45 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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qpl